

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested. It is respectfully requested that this amendment be entered under Rule 116 in that it clarifies over the art applied and places this application in condition for allowance.

Claim amendments/Status

In this response, claim 1 has been amended in a manner which clarifies the subject matter for which patent protection is sought. Claims 19-20 were previously cancelled. Accordingly, claims 1-18 remain pending in this application.

Support for the amendments to claim 1 can be found at page 6, line 32 – page 7, line 9 or the originally filed specification and can be readily appreciated in light of Figs. 2a, 2b.

Rejections under 35 USC § 103

The rejections of:

- 1) claims 1-8 under 35 U.S.C. 103(a) as being unpatentable over Teichmer (US 6380991 B1) in view of Takahashi (US 5912709 A);
- 2) claims 9-15 and 17 under 35 U.S.C. 103(a) as being unpatentable over Teichmer in view of Takahashi as applied to claims 1-8 above, and further in view of Fox et al. (US 6181383 B1);
- 3) claim 16 under 35 U.S.C. 103(a) as being unpatentable over Teichmer in view of Takahashi as applied to claims 1-8 above, and further in view of Kelly et al. (US 6952521 B2); and
- 4) claim 18 under 35 U.S.C. 103(a) as being unpatentable over Teichmer Takahashi and Fox et al. as applied to claims 9-15 and 17 above, and further in view of Kelly et al. (6952521 B2); are summarily traversed.

The basis for all of the above rejections resides in Teichmer in view of Takahashi (US 5912709).

The Applicants submit that, unlike the invention as defined by claim 1 in which the second signal starts after a repositioned splicing instant, Takahashi doesn't change the position of its editing point. For that reason, Takahashi needs to recode the frame right after the editing point thus filling the gap of undecodable frames between the editing point and the first frame of reproduced complete data (figure 4(c) col. 6 lines 9-16), (figure 5 col. 6 line 66 to col. 7 line 2), (col. 7 line 32-39), whereas the invention leads to a clean splicing by choosing, as the starting point of s2 signal reproduction, the Group Of Pictures that is the closest to the real splicing point (To), the one before or the one after,

Further, if the method of claim 1 (as amended) were to be applied to the signals given in Fig 6 of Takahashi, assuming that the editing point corresponds to the splicing command Cc(To), (example corresponding to Fig. 5) the recoding of the second signal would have started with the I frame 5 followed by the B frame 3 and 4 which are frames before the editing point. Thus, the second signal transmission would have started at least one frame before the editing point and not just after the editing point, as with Takahashi.

In light of the comments above, it is respectfully submitted that amended claim 1 is not obvious over Teichmer in view of Takahashi. All other claims are inventive under 35 USC 103 due to their dependency on claim 1.

None of the other references noted above overcome the basic deficiencies of Teichmer and Takahashi. Thus, it is respectfully submitted that all claims are both novel and non-obvious over the prior art cited in this Office Action.


### Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice to that effect is earnestly solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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A handwritten signature in cursive script, appearing to read "Kenneth M. Berner".

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